

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re issuance application of:
KANJI KIRIMOTO, et al
Application No.: 10/826,173
Filed: April 16, 2004
For: CABLE DISK BRAKE

Examiner: Thomas J. Williams
Art Unit: 3657

PETITION FOR SUSPENSION OF RULES
37 C.F.R. §1.183

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

Pursuant to 37 C.F.R. §1.183, petitioner Shimano, Inc. ("Shimano") requests waiver of the requirement of 37 C.F.R. §1.175(b)(1) taken in conjunction with 37 C.F.R. §1.172 that a supplemental reissue oath/declaration must be signed by all of the inventors.

As shown by the attached Declaration of Kazuhito Matsumoto, inventor Yamashita no longer is employed by Shimano, no longer lives in the area of the assignee and cannot be found.


It is believed that the absence of Mr. Yamashita represents an extraordinary situation, and justice requires that a supplemental reissue declaration that contains the signatures of the remaining inventors and without Mr. Yamashita's signature be acceptable. MPEP §1414.01(III).

The fee required by 37 C.F.R. §1.17(f) accompanies this petition.

KANJI KIRIMOTO, et al
Application No.: 10/826,173
Page 2

PATENT

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James A. Deland".

James A. Deland
Reg. No. 31,242

DELAND LAW OFFICE
P.O. Box 69
Klamath River, California 96050
530-465-2430

PATENT

Attorney Docket No. SIC-04-021

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DECLARATION OF KAZUHITO
MATSUMOTO

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

I, Kazuhito Matsumoto, hereby declare as follows:

- 1) I am currently employed by Shimano, Inc. in the Patent and Trademark Department.
- 2) I have been the representative of Shimano responsible for the above-captioned matter since at least October, 2005.
- 3) Inventor Kazuhisa Yamashita no longer is employed by Shimano.
- 4) I attempted to contact Mr. Yamashita at his last known address, but I was unable to do so.
- 5) I attempted to locate Mr. Yamashita, but it appears that Mr. Yamashita not longer lives anywhere near the location of Shimano in Sakai-ku, Sakai City, Osaka Japan.
- 6) I am unable to find Mr. Yamashita.
- 7) I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements

KANJI KIRIMOTO, et al
Application No.: 10/826,173
Page 2

PATENT

were made with the knowledge that that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code.

Executed on

Date

August 7, 2010

松本 和仁
Kazuhiro Matsumoto
Osaka, Japan